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SIPDIS

STATE FOR IO/SHA, DRL/MLA

E.O. 12958: N/A

TAGS: PHUM

SUBJECT: COMMUNICATION FROM SR ON FREEDOM OF OPINION
REGARDING THREE IRAQI JOURNALISTS

1. Mission received the following communication from Ambeyi Ligabo, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, regarding three Iraqi journalists found dead in Iraq. There is concern that these journalists may have been targeted because of their work. This communication has been forwarded to IO/SHA via e-mail and is number 35 on the Geneva 2005 Communications Log.

2. Begin text of letter:

REFERENCE: AL G/SO 214 (67-13)
USA 14/2005

27 September 2005

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression pursuant to Commission on Human Rights resolution 2002/48.

In this connection, I should like to bring to your Government's attention - as well as to the attention of the Government of Iraq, which I am also addressing on this matter - information I have received concerning Iraqi citizen Firas Maadidi, 40, chief of the Mosul bureau for the newspaper As-Saffir and chief editor of the local daily Al-Masar.

According to information received, on Tuesday 20 September 2005 in the al-Noor neighbourhood of Slayhe Jowiree in Mosul, Mr. Maadidi was killed outside his home by unidentified gunmen. He was immediately taken to hospital where he died four hours later. The death of Mr. Maadidi brings to three the number of journalists killed in Iraq in the last four days, two of whom were both affiliated with the newspaper As-Saffir. As-Saffir, which is based in Baghdad, has a strong pro-democracy editorial position and is running a campaign to educate Iraqis on the importance of the new constitution and the upcoming general elections. It is also critical of insurgent attacks against Iraqi civilians, calling them terrorist operations.

On Saturday 17 September 2005, Ms. Hind Ismail, a 28-year-old reporter for As-Saffir, was killed in Mosul's southern suburb of al-Muthana. Her body was found with a single bullet wound to the head. Fakher Haider, an Iraqi journalist who worked for The New York Times, was abducted last Sunday 18 September 2005 from his home in Basra. His body was found on Monday in Basra's southwestern al-Kiblah neighborhood with at least one gunshot to the head and his hands tied behind his back.

Concern is expressed that the three journalists were targeted because of their work.

Without in any way making any determination on the facts and circumstances of this case, I should like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression of the above mentioned person, in accordance with fundamental principles as set forth in article 19 of the Universal Declaration of Human Rights and reiterated in article 19 of the International Covenant on Civil and Political Rights which provide that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

Moreover, I would also like to call your Excellency's attention to Resolution 2005/38 of the Commission on Human Rights which called upon states to ensure that victims of violations of the rights have an effective remedy, to investigate effectively threats and acts of violence, including terrorist acts, against journalists, including in situations of armed conflict, and to bring to justice those responsible to combat impunity.

Moreover, it is my responsibility under the mandate provided

to me by the Commission on Human Rights and reinforced by the appropriate resolutions of the General Assembly, to seek to clarify all cases brought to my attention. Since I am expected to report on these cases to the Commission, I would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?

2. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries that may have been carried out in relation to the killing of the three journalists, both by your Excellency's Government and by the Iraqi authorities, insofar as you are aware of such inquiries. Have penal, disciplinary or administrative sanctions been imposed in connection with this incident? If your Government has not undertaken any inquiries in this matter or if they have been inconclusive, please explain why. I would appreciate a response by sixty days. I undertake to ensure that your Government's response to each of these questions is accurately reflected in the report I will submit to the Commission on Human Rights for its consideration.

Please accept, Excellency, the assurances of my highest consideration.

Ambeyi Ligabo
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

End text of letter.

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